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JC685 U.S. PTO

01-23-02

Express Mail No. EL715381415US  
Docket No. 20347US1 (C38435/111656)

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JC978 U.S. PTO  
10/053192  
01/15/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Continuation-in-Part Application of: )  
Heinrich BACHMANN *et al.* ) Examiner: Unassigned  
Serial No.: Unassigned ) Art Unit: Unassigned  
Filed: Herewith )  
For:  $\beta, \beta$ -CAROTENE 15,15'-  
MONOOXYGENASES, NUCLEIC ACID )  
SEQUENCES CODING THEREFOR AND )  
THEIR USE )

New York, New York  
January 15, 2002

**REQUEST FOR FILING A CONTINUATION-IN-PART APPLICATION**

Box Patent Application  
Commissioner For Patents  
Washington, D. C. 20231

Sir:

Transmitted herewith for filing is a continuation-in-part patent application under 37 CFR § 1.53(b) of prior pending U.S. Application Serial No. 09/504,393, filed February 15, 2000 by Inventors:

**Heinrich BACHMANN, Roland BRUGGER, Arno Martin FRIEDLEIN,  
Gabriele Margarethe WIRTZ, Wolf-Dietrich WOGGON,  
Adrian WYSS, and Markus WYSS**

For:  $\beta, \beta$ -CAROTENE 15,15'-MONOOXYGENASES, NUCLEIC ACID SEQUENCES  
CODING THEREFOR AND THEIR USE

1. [x] The application has 32 pages (including specification, claim pages, and abstract).
2. [x] The declaration and power of attorney
  - a. [ ] has been executed by all the inventors; or
  - b. [x] has not been executed by all the inventors. A signed declaration and power of attorney will be submitted in due course.

3. ☒ 12 sheets of drawings (Figures 1-8) are enclosed.
4. ☒ A Sequence Listing is part of this application.
- a. ☒ A Sequence Listing in both paper and computer readable form (diskette) as required by 37 CFR 1.821 et seq. is enclosed.
- b. ☒ Upon information and belief, the content of the paper and computer readable Sequence Listing are the same. See, 37 CFR §§1.821(f).
5. ☐ An associate power of attorney is enclosed.
6. ☐ An assignment of the invention from the Inventor(s) to F. Hoffmann-La Roche AG and an assignment from F. Hoffmann-La Roche AG to ROCHE VITAMINS INC. will follow.
- a. ☐ Two checks in the amount of \$40 each are enclosed to cover the recording fees. See paragraph 10.c., below.
- b. ☐ Please charge the recording fee to our Deposit Account No. 02-4467. A duplicate copy of this paper is enclosed.
7. ☒ Priority is hereby claimed under 35 USC §119 based on Application No. 99103382.0, filed February 22, 1999 in Europe.
- a. ☒ Certified copies of the priority document are already of record in copending U.S. Application Serial No. 09/504,393 filed February 15, 2000.
- b. ☐ The certified priority document will follow.
8. ☒ Priority is hereby claimed under 35 USC §120 based on copending U.S. Application Serial No. 09/504,393, filed February 15, 2000.
9. ☒ The filing fee is calculated below on the basis of the claims existing in the application plus or minus any claims added or canceled by amendment:

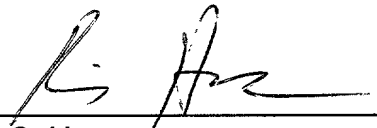
**Claims as Filed, Plus/Minus Any Claims Added/Canceled By Amendment**

For	Number Filed	Number Extra	Rate	Basic Fee = \$	740.00
Total claims	35 - 20 =	15	x \$18 =	\$	270.00
Independent claims	6 - 3 =	3	x \$84 =	\$	252.00
Total Filing Fees					<b>\$ 1,262.00</b>

10053192-011502

- a. ☒ A check in the amount of \$1,262.00 to cover the filing fee is enclosed. If our check is missing or otherwise insufficient, or if any additional fees are required, please charge (or credit any overpayment) to Deposit Account No. 02-4467. A duplicate copy of this paper is enclosed.
- b. ☐ Please charge Deposit Account No. 02-4467 in the amount of \$\_\_\_\_\_. A duplicate copy of this paper is enclosed.
10. ☒ The Commissioner is hereby authorized to charge payment of the following fees, or to credit any overpayment, to Deposit Account No. 02-4467. A duplicate copy of this paper is enclosed.
- a. ☒ Any additional filing fees required under 37 CFR Section 1.16 not otherwise paid by check.
- b. ☒ Any patent application processing fees required under 37 CFR Section 1.17 not otherwise paid by check.
- c. ☒ Any additional Assignment recording fees under 37 CFR Section 1.21 (h) not otherwise paid by check.
11. ☐ A Petition For Extension of Time is enclosed to maintain the pendency of U.S. Serial No. \_\_\_\_\_ filed \_\_\_\_\_ to which the present application claims benefit.
12. ☐ An Information Disclosure Statement is enclosed.
13. ☒ Address all communications to:  
Stephen M. Haracz, Esq.  
Bryan Cave, LLP  
245 Park Avenue  
New York, NY 10167-0034  
tel. (212) 692-1800

Respectfully submitted,

By:   
Kevin C. Hooper  
Registration No. 40,402  
BRYAN CAVE LLP  
245 Park Avenue  
New York, New York 10167-0034  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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New York, New York  
January 15, 2002

**CERTIFICATE OF EXPRESS MAILING**

"Express Mail" Mailing Label No.: EL715381415US  
Date of Deposit: January 15, 2002

I hereby certify that the following:

- [x] Certificate of Express Mailing (1 p)
- [x] Request For Filing A Continuation-In-Part Application (3 pp) in duplicate
- [x] Specification, Claims and Abstract (32 pp)
- [x] Declaration and Power of Attorney (4 pp) (unexecuted)
- [x] Twelve (12) Sheets of Drawings (FIGS. 1-8)
- [x] Sequence Listing (11 pp)
- [x] One (1) Diskette Containing Computer Readable Sequence Listing
- [x] Check for \$1,262.00 (Filing fee)
- [x] Return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the Date of Deposit indicated above in an envelope addressed to Box Patent Application, Commissioner For Patents, Washington, D.C. 20231.



Eric Morales  
Signature of Person Making Deposit

BRYAN CAVE LLP  
245 Park Avenue  
New York, New York 10167-0034  
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